

REMARKS

The Decision on Appeal of June 12, 2012, has been carefully reviewed and these remarks are responsive thereto. Claims 1-6, 8-19 and 22-32 were previously allowed by the Office. Claims 1-6, 8-13, 15-17, 22, 24, 25, 26, 29-32 and 38 have been amended by this paper to be in a more preferred form. Claim 39 has been canceled without prejudice or disclaimer. Claim 40 has been added. No new matter has been introduced. Claims 1-6, 8-19, 22, 24-32 and 38 are pending in this application upon entry of this paper.

As mentioned above, claims 1-6, 8-13, 15-17, 22, 24, 25, 27 and 29-32 were previously allowed but are amended by this paper. We do not believe the amendments affect the allowance of these claims. For example, independent claims 1 recites “creating a charging identification in a first network element.” Independent claim 24 recites that the “first network element [is] adapted to create the charging identification.” In view of these features, and others, claims 1 and 24 remain allowable. *See* Amendment dated March 8, 2006, pages 9-12 (arguing various distinguishing features of claim 1 and 24); *see also* Decision on Appeal (finding Kari, Deakin and Cobo all fail to describe creating a charging identification by a network element).

Claims 2-6, 8-13, 15-17, 22, 25, 27 and 29-32 remain allowable by virtue of the dependency on claim 1 or claim 24. Each of claims 2-6, 8-13, 15-17, 22, 25, 27 and 29-32 is further allowable in view of the various novel and non-obvious features recited therein.

Claim 38 recites that the network element is configured to create a charging identification. As stated by the Decision on Appeal, Kari, Deakin and Cobo all fail to describe creating a charging identification by a network element. Accordingly, claim 38 distinguishes over the cited documents and is in condition for allowance.

New independent claim 40 recites “creating, in a network element, call records and a charging identification for use in one of an application layer network or a transport layer network of a communications network having a billing system,” and is allowable for reasons similar to claim 38.

CONCLUSION

All issues having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3317.

Respectfully submitted,

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